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20 IN THE UNITED STATES DISTRICT COURT
21 FOR THE DISTRICT OF ARIZONA

22 KELVIN D. DANIEL, et al

23 Plaintiffs,

24 v.

25 SWIFT TRANSPORTATION
26 CORPORATION,

27 Defendant.

Case No. 2:11-cv-01548-PHX-ROS

**FIRST NOTICE OF DISCOVERY AND
SETTLEMENT**

1 Pursuant to this Court's Rule 16 Scheduling Order (Doc. 40), the parties hereby
2 jointly file their First Notice of Discovery and Settlement.

3 The parties have engaged in extensive written discovery. Plaintiffs continue to
4 review 213,000 pages of documents produced by Defendant. Defendant just completed
5 the depositions of the remaining class representatives. Plaintiffs intend to notice the
6 depositions of Defendant's Rule 26(a)(1) witnesses to take place in July. The parties have
7 not yet discussed specific settlement demands.

8
9 DATED this 14th day of June, 2012.

10 Respectfully Submitted,

11 STUMPHAUZER O'TOOLE MCLAUGHLIN
12 McGLAMERY & LOUGHMAN CO., LPA

13 /s/ Dennis M. O'Toole

14 /s/ Matthew A. Dooley

15 /s/ Anthony R. Pecora

16 LUBIN AND ENOCH, P.C.

17 /s/ Stanley Lubin

18 LITIGATION ASSOCIATES, P.C.

19 /s/ Leonard A. Bennett

20 *Counsel for Plaintiffs*

21 SNELL & WILMER, LLP

22 /s/ Joseph A. Kroeger

23 *Counsel for Defendant*
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CERTIFICATE OF SERVICE

This will certify that a copy of the foregoing First Notice of Discovery and Settlement was filed electronically this 14th day of June, 2012. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

/s/ Rosemary Farley